

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 31, 2010**

DIVISION ONE

[illegible]

The judgment of the superior court is affirmed.

Johnson, J.

We concur:   Rothschild, Acting P.J.  
                    Chaney, J.

B213922      Martin      (Not for Publication)  
v.  
Cruz

The appeal of the October 2, 2008 order is dismissed as untimely. The November 20, 2008 order is affirmed. The appeal of the January 22, 2009 order is dismissed as nonappealable to the extent it concerned defendant's December 1, 2008 motion for reconsideration of the October 2, 2008 order, and the January 22, 2009 order is affirmed to the extent it concerned defendant's January 16, 2009 ex parte application to modify the November 20, 2008 order. Plaintiff is entitled to costs on appeal.

Mallano, P.J.

We concur: Chaney, J.  
Johnson, J.

DIVISION ONE (continued)

B221980      Brown      (Certified for Publication)

v.

Superior Court, Los Angeles County  
(The People)

Let a peremptory writ of mandate issue directing the superior court to vacate its December 2, 2009 order denying petitioner's objection to retrial of count 13 and counts 19 through 22 and permitting a retrial of these counts. The order to show cause regarding the instant petition for a writ of mandate or prohibition issued on March 25, 2010, is discharged.

Mallano, P.J.

We concur:    Rothschild, J.  
                     Johnson, J.

B207417      McCall      (Not for Publication)

v.

Safety Consultant Services, Inc.

The judgment and orders are affirmed. Respondent SCS shall recover its costs of appeal.

Rothschild, J.

We concur:    Mallano, P.J.  
                     Johnson, J.

B217057      In re the Marriage of Israel Meir and Lonna Kin.

Kin

v.

Kin

Filed order denying petition for rehearing.

DIVISION TWO

B214894 People (Not for Publication)  
v.  
Craig

The judgment is affirmed.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B213070      People                          (Not for Publication)  
v.  
Bell

The judgment is affirmed.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

B224880      Schlesinger, et al.      (Not for Publication)  
v.  
SCLA  
Ticketmaster

The alternative writ is discharged. Let a peremptory writ of mandate issue directing the superior court to set aside and vacate its order of February 5, 2010 denying petitioners' motion to certify a nationwide class, and to enter a new order granting petitioners' motion to certify a nationwide class as to the first and second causes of action only. Petitioners are to recover the costs of this petition.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.  
Chavez, J.

DIVISION TWO (continued)

B222520      In re Brian Sass on Habeas Corpus      (Not for Publication)

The order granting the petition for writ of habeas corpus is affirmed. Thus, the Governor's decision reversing the Board's grant of parole remains vacated, and the Board's 2009 grant of parole is reinstated on the terms and conditions stated therein. This court's stay of the order granting the petition for writ of habeas corpus is dissolved.

Doi Todd, J.

We concur:    Boren, P.J.  
                    Ashmann-Gerst, J.

DIVISION THREE

B213570      People      (Not for Publication)  
                    v.  
                    Samuel Hernandez

The judgment is affirmed.

Croskey, J.

We concur:    Klein, P.J.  
                    Kitching, J.

B215315      People      (Not for Publication)  
                    v.  
                    Brandon Meaux

The judgment is affirmed.

Aldrich, J.

We concur:    Croskey, Acting P.J.  
                    Kitching, J.

### DIVISION THREE (continued)

[illegible]

The judgment is affirmed. Plaintiff and respondent Mary Scott shall recover her costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B215813 Simon (Not for Publication)  
v.  
Coleman

The trial court's order awarding costs of proof is reversed. The matter is remanded to the trial court with directions to vacate its order granting costs of proof and to enter a new and different order: (1) granting the motion for costs of proof as it pertains to requests for admission 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 18, 20, 23, 24 and 25; (2) denying the motion for costs of proof as it pertains to requests for admission 6, 19, and 21; (3) recalculating the award to include only the reasonable expenses incurred in proving true the statements in requests for admission 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 18, 20, 23, 24 and 25. The judgment in favor of Attorney Coleman is affirmed. The parties shall bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

DIVISION THREE (continued)

B220705      Los Angeles County DCFS      (Not for Publication)  
v.  
C.S.

The order from which Father has appealed is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B221249      Uzyel, et al.      (Not for Publication)  
v.  
Kadisha

The judgment is affirmed. The parties shall bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION FOUR

B219352      Colony Cove Properties, LLC      (Certified for Publication)  
v.  
City of Carson

The judgment directing the City to vacate Ordinance No. 08-14-1 is affirmed. The judgment directing the City to vacate Ordinance No. 08-1402U is reversed. The matter is remanded to the trial court with directions to dismiss the petition filed June 13, 2008 as moot. Colony Cove is awarded its costs on appeal.

Manella, J.

We concur: Epstein, P.J.  
Willhite, J.

## DIVISION FOUR (continued)

B218561      Macias                      (Not for Publication)  
v.  
Luna

The judgment for plaintiff is reversed and the matter is remanded for a new trial. The parties are to bear their own costs on appeal.

Suzukawa, J.

We concur: Epstein, P.J.  
Manella, J.

B216515 Pacific Palisades Bowl Mobile Estates, LLC (Certified for Publication)  
v.  
City of Los Angeles

The judgment is reversed. The trial court is directed to vacate the peremptory writ of mandamus issued May 7, 2009, and to enter judgment in favor of the City of Los Angeles. The city shall recover its costs on appeal.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B221626      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Michelle S. et al.

The orders of the court denying father's section 388 petition and terminating parental rights are affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Suzukawa, J.

## August 31, 2010 (Continued)

## DIVISION FOUR (continued)

B216768 People v. Jones (Not for Publication)

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Manella, J.

DIVISION FIVE

B217405      People  
v.  
Nguyen Nam Ba

Filed order denying petition for rehearing.

DIVISION SIX

B220394      People                                  (Not for Publication)  
v.  
Jarry Keng Yang

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

## DIVISION EIGHT

B210007      Bith, LLC,                                (Not for Publication)  
v.  
Downey Savings & Loan Association, F.A.

The judgment is reversed and the case is remanded with directions to give leave to appellant to file a second amended complaint and for further proceedings consistent with this opinion. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Bigelow, P.J.  
Rubin, J.

B221611      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Maria G.,  
In re Desean R., a Person coming Under the Juvenile Court Law.

The judgment (order) is affirmed.

Flier, J.

We concur: Rubin, Acting -+P.J.  
Grimes, J.